

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CV 2003-003924

08/17/2004

HON. PAUL A KATZ

CLERK OF THE COURT
B. Navarro
Deputy

FILED: 08/18/2004

RENAISSANCE AIRCRAFT L L C

DANIEL W GLASSER

v.

P DOUGLAS COMBS, et al.

P DOUGLAS COMBS
AND LAURIE A EDER
15815 E MELROSE ST
GILBERT AZ 85296

REX A CHRISTENSEN
S CARY FORRESTER
JOHN M MCKINDLES
ERIC C ROWE
GREENBERG TRAURIG LLP
800 CONNECTICUT AVE NW
WASHINGTON DC 20006

MINUTE ENTRY

10:16 a.m. This is the time set for oral argument on Plaintiff's Motion to Dismiss Claims Asserted Against Defendants Duane "Buck" Jewell, Diane Jewell, Don Warner and Donna J. Warner and Plaintiff's Motion for an Order to Show Cause Why P. Douglas Combs Should Not be Held in Contempt of Court and Sanctioned for Refusing to Obey a Subpoena Duces Tecum. Plaintiff is represented by counsel, Eric C. Rowe and Daniel W. Glasser. Defendant P. Douglas Combs is present on his own behalf. Defendants and Third-Party Defendants, Jewell, Price and Warner are represented by counsel, Rex A. Christensen.

Court Reporter, Bethany Campbell, is present.

Oral argument is presented on Plaintiff's Motion to Dismiss Claims Asserted Against Defendants Duane "Buck" Jewell, Diane Jewell, Don Warner and Donna J. Warner.

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For the reasons set forth on the record,

IT IS ORDERED approving and settling the formal written Order Dismissing Plaintiff's Claims Against Defendants Duane "Buck" Jewell, Diane Jewell, Don Warner and Donna J. Warner signed by the Court this date and filed (entered) by the Clerk this date.

IT IS FURTHER ORDERED taking Plaintiff's Motion for Rule 11 Sanctions Against Combs and Eder Regarding Their Objections to Plaintiff's Voluntary Dismissal of Claims Against Defendants Duane "Buck" Jewell, Diane Jewell, Don Warner, and Donna J. Warner under advisement.

Oral argument is presented on Plaintiff's Motion for an Order to Show Cause Why P. Douglas Combs Should Not be Held in Contempt of Court and Sanctioned for Refusing to Obey a Subpoena Duces Tecum.

IT IS ORDERED holding Defendant P. Doulgas Combs in civil contempt of court for the willful disobedience of a subpoena that he received.

IT IS FURTHER ORDERED that Mr. Combs shall appear for the taking of his deposition, under oath, at the law offices of Greenberg Taurig located at 2375 E. Camelback Road, Ste. 700, Phoenix, AZ. on September 10, 2004 at 9:00 a.m.

IT IS FURTHER ORDERED that at that deposition, Mr. Combs shall bring with him any of the documents or things that are listed in Schedule 1, which contain 11 categories, that is attached to the Subpoena Duces Tecum that was served upon him.

LET THE RECORD REFLECT that Judge Katz removes his copy of Schedule 1 from the division copy of the subpoena and provides it to Mr. Combs.

IT IS FURTHER ORDERED that Mr. Combs shall diligently search for all categories listed in that Schedule. If any items are in Mr. Combs' care, custody or control, or if Mr. Combs has access to said documents, they shall be provided at the scheduled deposition.

IT IS FURTHER ORDERED that Mr. Combs shall not do anything to damage, destroy, alter, dispose of or hide any of the categories of documents that are listed in Schedule 1 of the subpoena.

IT IS FURTHER ORDERED that when Mr. Combs attends said deposition and provides the listed documents, he will have deemed to have purged the civil contempt. If Mr. Combs fails to appear on September 10, 2004 at 9:00 a.m., another order to show cause will be set and Mr. Combs will be held in the Maricopa County Jail until he complies with the subpoena.

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IT IS FURTHER ORDERED enforcing any of the orders that have previously been entered by any prior Judges in this matter until such time the Court of Appeals or the Arizona Supreme Court orders otherwise.

LET THE RECORD REFLECT that the Court has received Plaintiff's Motion for Appointment of a Receiver. Said motion is discussed.

The Court will not consider the appointment of a receiver until Mr. Combs has had an opportunity to file a response.

IT IS ORDERED that the aircraft and all of its components, which bears tail number N272Y, serial number 131, shall remain at its current hangar at the Chandler Airport until further order of this Court.

IT IS FURTHER ORDERED that neither the Plaintiff nor Defendant Combs, their attorneys, agents or employees shall do anything to move the aircraft from that location or to take any of the component parts of that aircraft from that location, or, in any way alter, damage, or destroy the aircraft or its component parts until further order of this Court.

Nothing by way of this order is intended to prohibit the Maricopa County Sheriff's Office from returning any other property that it may be holding in the same hangar which it does not have reason to believe belongs to Mr. Combs.

IT IS FURTHER ORDERED that Mr. Combs shall keep the Court apprised of a current address for reasons of maintaining communication.

10:52 a.m. Matter concludes.

/ s / HON. PAUL A KATZ

JUDICIAL OFFICER OF THE SUPERIOR COURT